



TSW

Docket No.: 1713.1006

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
Takuya UCHIYAMA, et al.

Serial No. 10/625,772

Group Art Unit: 2876

Confirmation No. 7854

Filed: July 24, 2003

Examiner: WALSH, DANIEL I

For: NON-CONTACT IC CARD READ/WRITER DEVICE, NON-CONTACT IC CARD, INPUT DEVICE, AND METHOD FOR CALCULATING LOCATION OF NON-CONTACT IC CARD

RESPONSE REQUESTING WITHDRAWAL OF IMPROPER OFFICE ACTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Office Action mailed November 3, 2005, imposing a Restriction Requirement but setting a three-month period for response expiring February 3, 2006.

Counsel spoke with both the Examiner, Daniel Walsh, and his supervisor, Examiner Michael Lee, regarding the inappropriate circumstance of the Action mailed November 3, 2005.

Particularly, the preceding Response filed August 12, 2005, consistent with indications of the Office Action mailed May 18, 2005, placed the application in condition for allowance.

Accordingly, there is no reason for a Restriction or Election of Species Requirement to be imposed, as was presented in the Action mailed November 3, 2005..

Both the Examiner and his supervisor agreed that the Action of November 3, 2005 will be withdrawn in response to the filing of this Response. Such action is earnestly solicited.

Respectfully submitted,

STAAS & HALSEY LLP

Date: December 21, 2005

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